

John J.D. McFerrin-Clancy (JM-C 6937)
LOWENSTEIN SANDLER P.C.
1251 Avenue of the Americas
New York, NY 10220
(212) 262-6700
Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ORBIT ONE COMMUNICATIONS, INC.,
DAVID RONSEN,

Plaintiffs,

-against-

NUMEREX CORP.,

Defendant.

Civil Action No. 08-CV-0905 (LAK)

**NOTICE OF MOTION FOR
SUMMARY JUDGMENT**

Document Filed Electronically

TO: Kent Yalowitz
ARNOLD & PORTER, LLP
399 Park Avenue
New York, New York 10022-4690

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law, the annexed Declarations of John J.D. McFerrin-Clancy, David Ronsen, and Scott Rosenzweig, with attached exhibits, and all pleadings and proceedings heretofore had herein, the undersigned counsel for Plaintiffs/Counterclaim Defendants Orbit One Communications, Inc. and David Ronsen move before this Court, before the Honorable Lewis A. Kaplan, at the United States District Court for the Southern District of New York, Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York, at a date and time to be determined in accordance with Judge Kaplan rules, under Fed. R. Civ. P. 56(b) and 12(c), for an Order granting

summary judgment and/or judgment on the pleadings on the claims in Plaintiff's Complaint and the claims in Defendant's/Counterclaim Plaintiff's Counterclaims.

PLEASE TAKE FURTHER NOTICE that Plaintiffs/Counterclaim Defendants request oral argument.

Respectfully submitted,

By: //s// John J.D. McFerrin-Clancy
John J.D. McFerrin-Clancy (JM-C 6937)
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Attorneys for Plaintiffs

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